

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

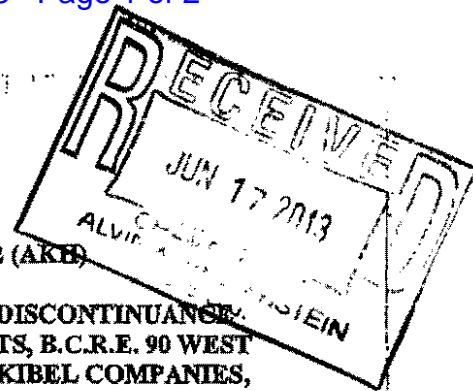
IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER
MANHATTAN DISASTER SITE LITIGATION

SEE ATTACHED "EXHIBIT A"

CASE No.: 21MC102 (AKB)

STIPULATION OF DISCONTINUANCE
AS TO DEFENDANTS, B.C.R.E. 90 WEST
ST, LLC AND THE KIBEL COMPANIES,
ONLY.



IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned for the parties in the cases listed in the attached exhibit, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendants, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against Defendants B.C.R.E. 90 WEST ST, LLC and THE KIBEL COMPANIES, only as to the claims being made as to the premises located at 90 West Street, New York New York and for the cases listed in the attached exhibit shall be and the same hereby are discontinued without prejudice without costs to any party as against the other.

IT IS HEREBY STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that B.C.R.E. 90 WEST ST, LLC and THE KIBEL COMPANIES are proper parties to this suit, that Plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendants shall not assert a Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York

June 18, 2013

McMAHON, MARTINE & GALLAGHER, LLP.
Attorneys for Defendants B.C.R.E. 90 WEST
ST, LLC AND THE KIBEL COMPANIES

By: Christopher Muludiang
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GREGORY J. CANNATA & ASSOCIATES
Attorney for Plaintiff(s)

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New York, NY 10279
(212) 2333-5400

SO ORDERED: 6/18/13

[Signature]

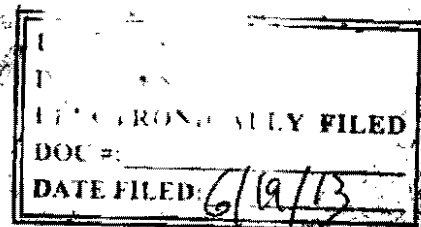


EXHIBIT A

LAST NAME	FIRST NAME	INDEX #
Balguz	Aleksander	06cv05338
Clborowski	Henryk	10cv4226
Czerwinski	Marian	08cv6805
Ouglyk	Jaroslav	10cv6864
Zalewski	Bogusław	06cv1525
Zygmunt	Mieczysław	09cv0679